

**THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellant(s): Daouse et al.
Appl. No.: 10/599,311
Conf. No.: 6771
Filed: September 25, 2006
Title: PROCESS FOR PREPARING, PRIOR TO FILLING, A WAFER CORNET,
CORNET THUS OBTAINED AND INSTALLATION FOR IMPLEMENTING
THE PROCESS
Art Unit: 1794
Examiner: Jerry W. Anderson
Docket No.: 3712036-00754

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON-COMPLIANT APPEAL BRIEF

Sir:

This Response is submitted in reply to the Notice of Non-Compliant Appeal Brief dated
February 3, 2011.

REMARKS

In response to the Notice of Non-Compliant Appeal Brief dated February 3, 2011, Appellants have included a proper recitation of the status of all the claims filed in the application. The compliant version of Section III of the Appeal Brief is attached hereto as Exhibit A, per the Patent Office's request. See, Notice of Non-Compliant Appeal Brief, page 2, Item 10.

Appellants submit that the present Appeal Brief is compliant under 37 CFR 41.37. Appellants respectfully request reconsideration of the Appeal Brief and submit that the Patent Office has failed to establish obviousness with respect to the rejections of the claimed invention. Accordingly, Appellants respectfully submit that the obviousness rejections are erroneous in law and in fact and should therefore be reversed.

The Director is authorized to charge any fees which may be required, or to credit any overpayment to Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. 3712036-00754 on the account statement.

Respectfully submitted,

K&L GATES LLP

BY 

Robert M. Barrett
Reg. No. 30,142
Customer No. 29157
Phone No. 312-807-4204

Dated: February 8, 2011

EXHIBIT A

III. STATUS OF CLAIMS

Claims 24, 26-30 and 44 are pending in the above-identified patent application. Claims 1-23 and 25 were previously canceled, and Claims 31-43 were previously withdrawn from consideration. Claims 24, 26-30 and 44 stand rejected. Therefore, Claims 24, 26-30 and 44 are being appealed in this Brief. A copy of the appealed claims is included in the Claims Appendix.